

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

No.	ED CV 15-1853-R (AS)	Date	January 6, 2016
Title	<i>David McDermid v. Unnamed Physician's Assistant, et al.</i>		

Present: The Honorable	Alka Sagar, United States Magistrate Judge		
Alma Felix	Not reported		
Deputy Clerk	Court Reporter / Recorder		
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:		
Not present	Not present		
Proceedings (In Chambers):	Order to Show Cause Re: Lack of Prosecution		

On September 9, 2015, Plaintiff David McDermid (“Plaintiff”) filed a *pro se* civil rights Complaint, pursuant to Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971). (Docket Entry No. 1). The case was assigned to this Court and a Notice of Assignment was mailed to Plaintiff at the address listed on the Complaint. (Docket Entry No. 3). On September 24, 2015, the Court dismissed Plaintiff’s Complaint with leave to amend. (Docket Entry No. 6). The deadline for Plaintiff to file a First Amended Complaint was October 24, 2015. (See id. at 11).

On October 13, 2015, the Notice of Assignment was returned as undeliverable. (Docket Entry No. 7). On October 14, 2015, the Court issued an Order Requiring Plaintiff to Provide the Court With His Current Address Pursuant to Local Rule 41-6. (Docket Entry No. 8).

To date, Plaintiff has failed to file a First Amended Complaint, provide the Court with his current address, or communicate with the Court in any way. Accordingly, Plaintiff is ORDERED TO SHOW CAUSE, in writing, no later than **Friday, February 5, 2016**, why this action should not be dismissed with prejudice for failure to prosecute and failure to obey a court order. This Order will be discharged upon the filing of a First Amended Complaint that cures the deficiencies in the last pleading, or upon the filing of a declaration under penalty of perjury providing the Court with Plaintiff’s current address and stating why he is unable to file a First Amended Complaint.

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If Plaintiff no longer wishes to pursue this action, he may request a voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a). A notice of dismissal form is attached for Plaintiff's convenience. Plaintiff is warned that a failure to timely respond to this Order will result in a recommendation that this action be dismissed with prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute and obey court orders.

Cc: Manuel L. Real
United States District Judge

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